

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:08MD1932-MU**

**IN RE FAMILY DOLLAR FLSA
LITIGATION**

Concerning Fowler v. Family Dollar Stores

ORDER

This matter is before the Court on the parties Joint Motions for Dismissal of Opt-In Plaintiffs Bethany Jordan (Marino) (Doc. No. 678) and Curtis Whittie (Doc. No. 679), both filed October 17, 2011. The parties have agreed to this dismissal, with prejudice, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure with each party to bear their own costs.

IT IS, THEREFORE ORDERED that:

- (1) The Joint Motions for Dismissal as to Opt-In Plaintiffs Bethany Jordan (Marino) and Curtis Whittie (Doc. Nos. 678 and 679) are **GRANTED**. Plaintiffs' claims against Family Dollar are dismissed with prejudice, with each party to bear its own fees and costs;
- (2) The Court finds that there is no just reason to delay entry of final judgment for Family Dollar with respect to Opt-In Plaintiffs Bethany Jordan (Marino) and Curtis Whittie's claims against Family Dollar;
- (3) The Clerk is directed to enter final judgment, pursuant to Rule 54(b), for Family Dollar with respect to Opt-In Plaintiffs Bethany Jordan (Marion) and Curtis Whittie.

SO ORDERED.

Signed: October 18, 2011

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

